

1 The Westfield-Washington Advisory Plan Commission held a meeting on
2 Monday, May 17, 2010 scheduled for 7:00 PM at the Westfield City Hall.

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4 **Opening of Meeting:** 7:00 PM

5
6 **Roll Call:** Note Presence of a Quorum

7
8 **Commission Members Present:** Dan Degnan, Pete Emigh, William Sanders, Cindy
9 Spoljaric, Robert Smith, Robert Spraetz, Danielle Tolan and Steve Hoover.

10
11 **City Staff Present:** Kevin Todd, AICP, Senior Planner; Ryan Schafer, Planner I; and
12 Brian Zaiger, City Attorney

13
14 **Approval of the Minutes:**

15
16 Motion: To approve the May 3, 2010 Meeting Minutes as presented.

17
18 Motion by: Hoover; Second by Spraetz; Vote: Passed by Voice Vote

19
20 Todd reviewed the Public Hearing Rules & Procedures.

21
22 Smith announced changes to the order of the agenda.

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24
25 **NEW BUSINESS**

26
27 Case No. 1005-DP-04 & 1005-SIT-04

28 Petitioner City of Westfield

29 Description 17944 Grassy Branch Road; Petitioner requests Development Plan and
30 Site Plan Review for a proposed 7,500 square foot Fire Station, located in
31 the SF-2 District.

32
33 Schafer stated that there have been no changes to this petition since the first introduction
34 and that staff is requesting a motion tonight.

35
36 Spoljaric asked if there are plans for future expansion and how many trucks will be
37 contained within the building on site.

38
39 Chief Burtron responded that there are no plans for expansion and there are two drive-
40 through bays for one fire engine initially with the possibility of an ambulance in the
41 future.

42
43 A Public Hearing opened at 8:09 p.m.

44

1 Mr. Jeff Robbins asked about the timing of the project as far as building and
2 functionality; he also expressed concern regarding procedures such as when the sirens
3 will be turned in during the night.

4
5 Mr. Jeff Burton expressed concern regarding noise lowering property values.

6
7 The Public Hearing closed at 8:13 p.m.

8
9 Chief Burtron stated that this project was in cooperation between the City and the School
10 Corporation; he further stated that the ground breaking is scheduled for June 8, 2010 and
11 occupation is planned for by the summer of 2011. He also responded to the noise issue
12 stating that there is no need for fire apparatus or an ambulance to be leaving the bay at
13 2:00 a.m. with sirens full blaring and disturbing neighbors.

14
15 Schafer responded to the concern about property values, stating that during the Board of
16 Zoning Appeals process, staff discussed this concern and believes this development could
17 potentially raise property values and decrease insurance rates for neighboring structures.

18
19 Motion: To approve 1005-DP-04 & 1005-SIT-04 as presented.

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21 Motion by: Emigh; Seconded by: Spraetz; Vote: 8-0

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24 **OLD BUSINESS**

25
26 Case No. 1003-PUD-03
27 Petitioner Herman & Kittle Properties, Inc.
28 Description 4420 East 146th Street; Petitioner requests a change in zoning of
29 approximately 6.7 acres from the SF-3 District to the Commerce Centre
30 PUD District.

31
32 Todd presented the change of zoning request. He stated that the petitioner is seeking to
33 develop the site as self storage facility in the rear portion of the property and garden
34 office buildings along 146th Street. Todd stated that since the public hearing on March 1,
35 2010, the petitioner has met with neighbors several times, and as a result amended the
36 proposal which include the following highlights: flipping the site plan design and
37 location of the drive, prohibiting the use of veterinarian offices, tree preservation, buffer
38 yard, additional five feet for the west side setback line, provided a tree inventory, and
39 enhanced the architectural and roof design requirements for all buildings on the site.

40
41 Mr. Steve Hardin, Baker & Daniels, presented further details of the project and discussed
42 the petition history, including a neighbor meeting, the buffer area, tree counts and a tree
43 preservation plan.

1 Mr. Jud Scott, Vine & Branch, discussed the inventoried buffer area, which included
2 trees 4" or greater. He noted that the inventory resulted in 200 trees and 16 different
3 species. He also discussed the mature trees in the buffer area, which are as tall as 50-60
4 feet.

5
6 Spoljaric asked about location of truck turn around areas.

7
8 Hardin showed the updated plan where the entrance had been moved to the east at
9 neighbor's request which freed up the maneuverability within the area.

10
11 Hardin stated that additionally there was an increased set back along the western edge of
12 the property. He also stated that neighbors' input and preferences were considered
13 regarding architectural design and roof design.

14
15 Spoljaric asked about the project timeline.

16
17 Ms. Erica Scott, Herman & Kittle, responded that the project should be starting
18 September/October and will take about one year to complete.

19
20 Degnan stated that in the Comprehensive Plan one of the descriptions talks about this
21 area being suburban residential. He believes that it is a stretch that this project is
22 considered suburban residential, although the staff report states that it is an acceptable
23 use.

24
25 Zaiger responded that this particular property is probably not ideally situated for
26 residential units.

27
28 Todd added to Zaiger's comments stating there is a statement in the Comprehensive Plan
29 for this particular area, which talks about there being applicable or compatible infill
30 development to be considered in order to avoid sprawl. He continued stating this is an
31 infill project; a site being development between an existing residential development and
32 an existing utility use and further east an existing commercial center.

33
34 Motion: To send 1003-PUD-03 to the Westfield City Council with a positive
35 recommendation.

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37 Motion by: Emigh; Seconded by: Hoover; Vote: 7-1 (Sanders)

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40 Case No. 1004-DP-03 & 1004-SIT-03
41 Petitioner Weihe Engineers
42 Description 2001 East 151st Street; Petitioner requests a Development Plan and Site
43 Plan Review for a proposed building expansion of 17,797 square feet to
44 the Wal-Mart building, located in the SB-PD District.
45

1 Todd reviewed the proposed petition and outstanding items from the May 3, 2010 Plan
2 Commission meeting, including sidewalk issue/connectivity, loading berth reduction
3 request, and traffic impact study. He stated that the Director has determined that the
4 proposed number of loading docks is adequate for a store of this size. This determination
5 was based on information that was provided by the petitioner. He also stated that staff
6 has determined from the traffic impact study that the proposed development plan and
7 adjacent thoroughfares are adequate to accommodate the new expansion. Todd added
8 that a fourth item, which was brought up previously regarded outdoor storage, and staff
9 has reviewed this issue and is prepared to take enforcement action on this issue.

10
11 Hoover asked where the loading dock requirement comes from.

12
13 Todd responded that the standard comes from the Westfield Zoning Ordinance, which
14 establishes a formula which is used for determining the number of required loading dock
15 spaces. The formula is based on a retail building's square footage.

16
17 Degnan stated his disappointment that there are still enforcement issues regarding outdoor
18 storage with the existing store. He expressed a desire to see those issues addressed before
19 approving new building expansion.

20
21 Sanders noted that the outdoor storage and display enforcement issue has been an on-
22 going battle for several years with this store.

23
24 Zaiger remarked that the current enforcement issues are not related to what is before the
25 Commission for review. He stated that the City does not have an ordinance that requires
26 a petitioner to be fully compliant with the standards before they ask for anything. He
27 offered to draft such an ordinance, if the Council desired.

28
29 Spoljaric stated that she will vote to approve this project because legally she has to;
30 however, she expressed her opinion that it feels wrong to approve a plan for a business
31 that has so many enforcement problems.

32
33 Degnan mentioned that he likes the "clean hands" concept that Zaiger mentioned.

34
35 Mr. Joe Calderon responded that they are aware of the outstanding enforcement concerns
36 and stated that they will be addressed quickly. He further stated that the store will be
37 compliant with the City's ordinances and wants to be a good corporate citizen.

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39 Motion: To approve 1004-DP-03 & 1004-SIT-03 as presented.

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41 Motion by: Emigh; Seconded by: Spraetz; Vote: 7-1 (Sanders)

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1 Case No. 1004-PUD-05
2 Petitioner KRG Bridgewater LLC
3 Description Northwest corner of 146th Street and Gray Road; Petitioner requests an
4 amendment to Section 14 of The Bridgewater PUD; modifying standards
5 regarding signage for the Bridgewater Marketplace.
6

7 Schafer stated that since the last appearance, the petitioner made the recommended
8 changes voiced by the Commission, which include providing a newly revised set of
9 renderings reflecting the current placement on the property and the sign size area, and the
10 placement of tenant signs at the clock tower (which are now further away). He further
11 stated that staff has reviewed the amendment language changes and determined that they
12 are properly cited throughout the amendment.
13

14 Todd shared renderings of the tenant sign exhibit and the clock tower signage exhibit.
15

16 Hoover stated that he reviewed the documents in some detail and did find that
17 everything discussed at the previous Plan Commission meeting was addressed by the
18 petitioner. He stated that he is very satisfied.
19

20 Motion: To send 1004-PUD-05 to the City Council with a positive recommendation.
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22 Motion by: Hoover; Seconded by: Sanders; Vote: 8-0
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24 **CITY COUNCIL LIAISON**

25

26 Hoover reported on the Council's approval of a one year impact sewer, water, impact,
27 connection fee reduction of roughly 50% to try to spur some development in the
28 economic hard times we have been experiencing. He also discussed a couple of projects
29 coming before the Commission including a Westfield Thoroughfare Plan addendum and
30 a new residential development on South Street called Kalorama Park.
31

32 **APC MEMBER COMMENTS**

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34 Degnan stated that he would like to suggest to the Council the idea of an ordinance where
35 the procedural history of an individual property be part of the decision-making ability for
36 the APC, which he believes would be helpful.
37

38 **ADJOURNMENT** (8:07)

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1 Approved (date)

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5 _____
President, Robert Smith, Esq.

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Vice President, Cindy Spoljaric

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Secretary, Matthew S. Skelton, Esq., AICP

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